

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
AT ERIE

PARIS L. JAMES,

Plaintiff,

v.

DEBRA SAUERS, *et al.*,

Defendants.

Civil Action No. 1:14-cv-00069-BR-SPB

ORDER


ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having considered the Report and Recommendation of Magistrate Judge Susan Paradise Baxter, and the balance of record, **HEREBY ORDERS:**

- (1) The Court **ADOPTS** the Report and Recommendation, (Doc. No. 107);
- (2) The Motion to Dismiss filed by Defendant Sherbine, (Doc. No. 97), is **GRANTED** as to the conspiracy and retaliation claims; and
- (3) The Motion to Dismiss filed by Defendant Sherbine, (Doc. No. 97), is **DENIED** as to the Eighth Amendment claims.

IT IS SO ORDERED.

Dated: December 9, 2016



BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE